

ORDINANCE

93-04
Passed: 6-28-93

AN ORDINANCE TO AMEND ORDINANCE #90-07, REGULATING THE PLACEMENT, CONTINUED EXISTENCE AND PHYSICAL DIMENSIONS OF FENCES, WALLS, HEDGES, AND OTHER VISUAL AND PHYSICAL CONSTRUCTIONS AND REPEALING ORDINANCE #87-07 OF THE VILLAGE OF BUCKEYE LAKE, OHIO

WHEREAS, some visual and physical obstructions are a hazard to the safe operation of vehicular traffic; and

WHEREAS, some physical obstructions are a safety hazard in emergency situations; and

WHEREAS, Section 715.27 of the Ohio Revised Code grants the Village Council the power to regulate the erection of fences and other structures,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BUCKEYE LAKE, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF THE MEMBERS CONCURRING:

SECTION ONE: Definitions:

Lot - A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, utilized for a principal use; and uses thereto, and having frontage on a public street.

Corner Lot - A lot abutting upon two or more streets at their intersection or upon two parts of the same street, such street or parts of the same street forming an interior angle of less than one hundred thirty-five degrees. A point of intersection of the street lines is the corner.

Fence - An enclosure about a field or yard or other space, including a lot, or about any object, especially an enclosing structure of wood, iron, or other material, intended to prevent intrusion from without or straying from within; a visible or tangible obstruction which may be a hedge, wall, trussel, frame of wood, wire, rail, or any line of obstacle interposed between two portions of land so as to part off and shut in the land and set it off as private property or for the purpose of using it separately from adjacent land of the same owner.

Street Line - A line separating the outer most part of a street from a lot.

Lot Line - The lines bounding a lot.

SECTION TWO: Purpose:

(a) To make traffic intersections safer for vehicular and pedestrian traffic by requiring the removal of visual obstructions at the intersections and prohibiting the future erection of said obstructions.

(b) To enable emergency vehicles to have a sufficiently wide turning radius in traveling from street to street.

(c) to afford easy access through and over fences, walls, hedges, or other obstructions for fire fighting personnel and fire fighting equipment.

SECTION THREE: Location of fences, walls, hedges and other visual obstructions:

Except as hereinafter provided, no person being the owner or occupant of real property shall erect, maintain, allow to continue, or otherwise cause to fence, wall, hedge, or other visual obstruction to be located within six feet of a street line on a lot unless such fence, wall, hedge, or other visual obstruction is less than thirty inches high, measuring upward from grade or street level, whichever is lower. However, in no case shall any fence, wall, hedge or other visual obstruction be more than six feet high as measured from grade or street level, whichever is lower.

SECTION FOUR: Maintenance of fences, walls, hedges, and other visual obstructions:

All fences and walls shall be maintained in a rust-free or neatly painted condition with all sections in a vertically straight and erect position.

All hedges will be maintained in a neatly trimmed condition.

All fences shall be constructed and maintained so as to have the finished smooth surface, absent of structural work, if applicable, facing to the street or adjoining property.

SECTION FIVE:

Chainlink fences and other non-opaque obstructions which do not obstruct a person's line of sight are exempt from all requirements as set forth in Section Three. However, in no case shall any fence, wall, hedge, or other visual obstruction be more than six feet high.

SECTION SIX: Other Physical Obstructions:

No person being the owner or occupant of a corner lot shall erect, maintain, allow to continue, or otherwise cause a fence, wall, hedge or other obstruction to be located within two feet of street lines which intersect to make such lots a corner lot. This provision is designed to facilitate the turning of emergency vehicles at such locations.

SECTION SEVEN: Trees located on a lot within six feet of the street line shall be maintained so as to prohibit the existence of any branches lower than six feet measured from grade or street level, whichever is lower.

SECTION EIGHT:


Whoever knowingly violates this Ordinance shall be guilty of a minor misdemeanor. Each day of the offense shall constitute a separate offense.

SECTION NINE: Ordinance Number 87-07 is hereby repealed and Ordinance Number 90-07 is hereby amended.

SECTION TEN: This ordinance shall become effective from and after the earliest period allowed by law.

ATTEST:


Antoinette Yarmen - Clerk/Treasurer


Mayor - James F. Bartoe

Approved as to form:

Harvey H. Shapiro
Law Director - Village of Buckeye Lake